

FEB 26 2020

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

LEONARD CORNELIUS

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§

CRIMINAL NUMBER: 2:20-mj-479

**STIPULATION OF FACT IN SUPPORT OF GUILTY PLEA**

The defendant, LEONARD CORNELIUS, has agreed to stipulate with the United States Attorney for the Southern District of Texas, Ryan K. Patrick, through the undersigned Assistant United States Attorney, to the following facts. The parties agree that these facts are sufficient to establish a factual basis for the defendant's plea, pursuant to Fed. R. Crim. P. 11(b)(3).

**I.**

The defendant confesses that within the Southern District of Texas on or about March 22, 2018,

- 1) That the defendant took a bald eagle or golden eagle;
- 2) That the defendant acted knowingly or with wanton disregard for the consequences of his actions; and
- 2) That the taking was not specifically permitted under Title 16 U.S.C. § 668 or regulations issued pursuant to that subchapter.

**II.**


The defendant further stipulates that had the case proceeded to trial the United States would have called witnesses who would have testified that:

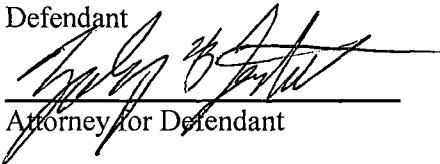
On March 22, 2018, Texas Parks and Wildlife Game Wardens located a dead bald eagle and a number of other dead animals that appeared to have been poisoned near a farm field located southeast of Bay City, Texas. United States Fish and Wildlife Agents responded to the scene and began looking for the source of the poison. The agents encountered the defendant

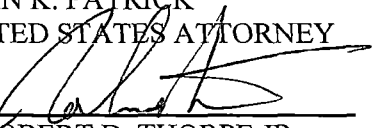
inspecting the nearby farm fields. Agents explained that they were looking for a source of poison which had killed animals in the area. Cornelius admitted that he had put out poison to kill birds that were damaging his crops on or about March 9, 2018. Cornelius confessed to mixing approximately thirty pounds of corn with Bidrin 8, a restricted use pesticide, and spreading the poisoned corn on several of his fields for the purpose of killing birds. He acknowledged seeing dead birds and several dead hogs in the area after he spread the poison. Under the supervision of the agents, Cornelius removed the remaining poisoned corn from the fields.

The dead bald eagle and a sample of the poisoned corn were both submitted to the National Fish and Wildlife Forensics Laboratory for examination. Laboratory analysis confirmed the bald eagle's death was caused by organophosphate poisoning. The specific organophosphate poison, Dicrotophos, was present in both the stomach contents of the bald eagle and the samples of poisoned corn provided from Cornelius fields. Dicrotophos is the active ingredient in the restricted use pesticide Bidrin 8.

The undersigned have thoroughly reviewed, understand, and agree that the information contained in this Stipulation of Fact is true and correct.

  
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LEONARD CORNELIUS  
Defendant

  
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Attorney for Defendant

RYAN K. PATRICK  
UNITED STATES ATTORNEY  
By:   
\_\_\_\_\_  
ROBERT D. THORPE JR.  
Assistant United States Attorney